

**Screening Statement on the determination of  
the need for a Strategic Environmental  
Assessment (SEA) in accordance with the  
Environmental Assessment of Plans and  
Programmes Regulations 2004 and European  
Directive 2001/42/EC of the:**

**North West Bicester Supplementary Planning  
Document**

**June 2015**

# **North West Bicester Supplementary Planning Document Strategic Environmental Assessment Screening Statement**

## **1.0 Introduction**

- 1.1 The requirement for a Strategic Environment Assessment (SEA) is set out in Government Planning Practice Guidance and Environmental Protection legislation (the Environmental Assessment of Plans and Programmes Regulations 2004). If the local planning authority determines that a plan is unlikely to have significant environmental effects through a screening process then a SEA will not be required.
- 1.2 To assess whether an SEA is required the Local Authority must undertake a screening process based on a standard set of criteria. This must be subject to consultation with Historic England, the Environment Agency and Natural England. Following consultation, the results of the screening process must be detailed in a Screening Statement, which is required to be made available to the public.
- 1.3 This screening report is designed to determine whether or not the contents of the North West Bicester Supplementary Planning Document (SPD) require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. This report sets out Cherwell District Council's determination on the need for SEA for the North West Bicester SPD prior to consultation with statutory environmental bodies.

### **Purpose of the North West Bicester SPD**

- 1.4 The modified submission Cherwell Local Plan identifies land at North West Bicester as a mixed used strategic development site. Policy Bicester 1 sets out the Council's policies and proposals for the site.
- 1.5 Cherwell District Council has prepared a SPD for the North West Bicester site to guide and support the submission and determination of planning applications and infrastructure delivery on the strategic allocations and eco-town site at North West Bicester. The SPD expands upon the modified Submission Cherwell Local Plan policy, providing the framework for the proposed development. It also sets out the approach to determining planning applications and how Policy Bicester 1 is to be applied. In addition, it embeds eco-town principles and standards in the local planning policy.
- 1.6 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the SPD and the need for a full SEA.

# North West Bicester Supplementary Planning Document Strategic Environmental Assessment Screening Statement

## 2.0 Legislative Background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 2.3 However, the 2008 Planning Act removed the requirement to undertake a Sustainability Appraisal for a Supplementary Planning Document, but not a Strategic Environmental Assessment. This, is because SPD's do not normally introduce new policies or proposals or modify planning documents which have already been subject to Sustainability Appraisal.
- 2.4 This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

### SEA Screening criteria and procedure

- 2.5 The SEA Directive requires SEA for plans when:
- a) They "determine the use of small areas at local level or
  - b) Are minor modifications to the above plans or programmes..." and states that "...they should be assessed only where Member States determine that they are likely to have significant effects on the environment."
- 2.6 The criteria for determining the significance of effects are listed in Schedule 1 (9 (2) (a) and 10 (4) (a) of the Environmental Assessment of Plans and Programmes Regulations 2004. They relate to:
- the scope and influence of the document and
  - the type of impact and area likely to be affected
- 2.7 The Government's Planning Practice Guidance states:
- 'Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan.*
- A strategic environmental assessment is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004), unless it is considered that there are likely to be significant environmental effects.*

## **North West Bicester Supplementary Planning Document Strategic Environmental Assessment Screening Statement**

*Before deciding whether significant environment effects are likely, the local planning authority should take into account the criteria specified in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies'. (Paragraph 008 Reference ID: 11-008-20140306 Revised 06.03.2014)*

### **Screening and Consultation**

- 2.8 In accordance with Regulations 9 of the Environmental Assessment for Plans and Programmes Regulations 2004, Cherwell District Council, as the Responsible Authority is required to determine whether the North West Bicester SPD is likely to have significant environmental effects taking into account Schedule 1 of the Regulations. It is also required to consult with the consultation bodies (Environment Agency, English Heritage and Natural England). Where the Responsible Authority determines that the plan or programme is unlikely to have significant environmental effects, and therefore does not need to be subject to full Strategic Environmental Assessment, it must prepare a statement showing the reasons for this determination.
- 2.9 Regulation 11 of the EA for Plans and Programmes Regulations 2004 requires the Responsible Authority to send to each consultation body a copy of the determination and its reasons for the determination in those cases where it is determined that SEA is not required. The Responsible Authority is also required to take steps as it considers appropriate to bring the determination to the attention of the public. The Responsible Authority shall keep a copy of the determination and accompanying statement of reasons for public inspection.

## **North West Bicester Supplementary Planning Document Strategic Environmental Assessment Screening Statement**

### **3.0 Criteria for Assessing the Effects of Supplementary Planning Documents**

#### **3.1** Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The characteristics of plans and programmes, having regard, in particular, to

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

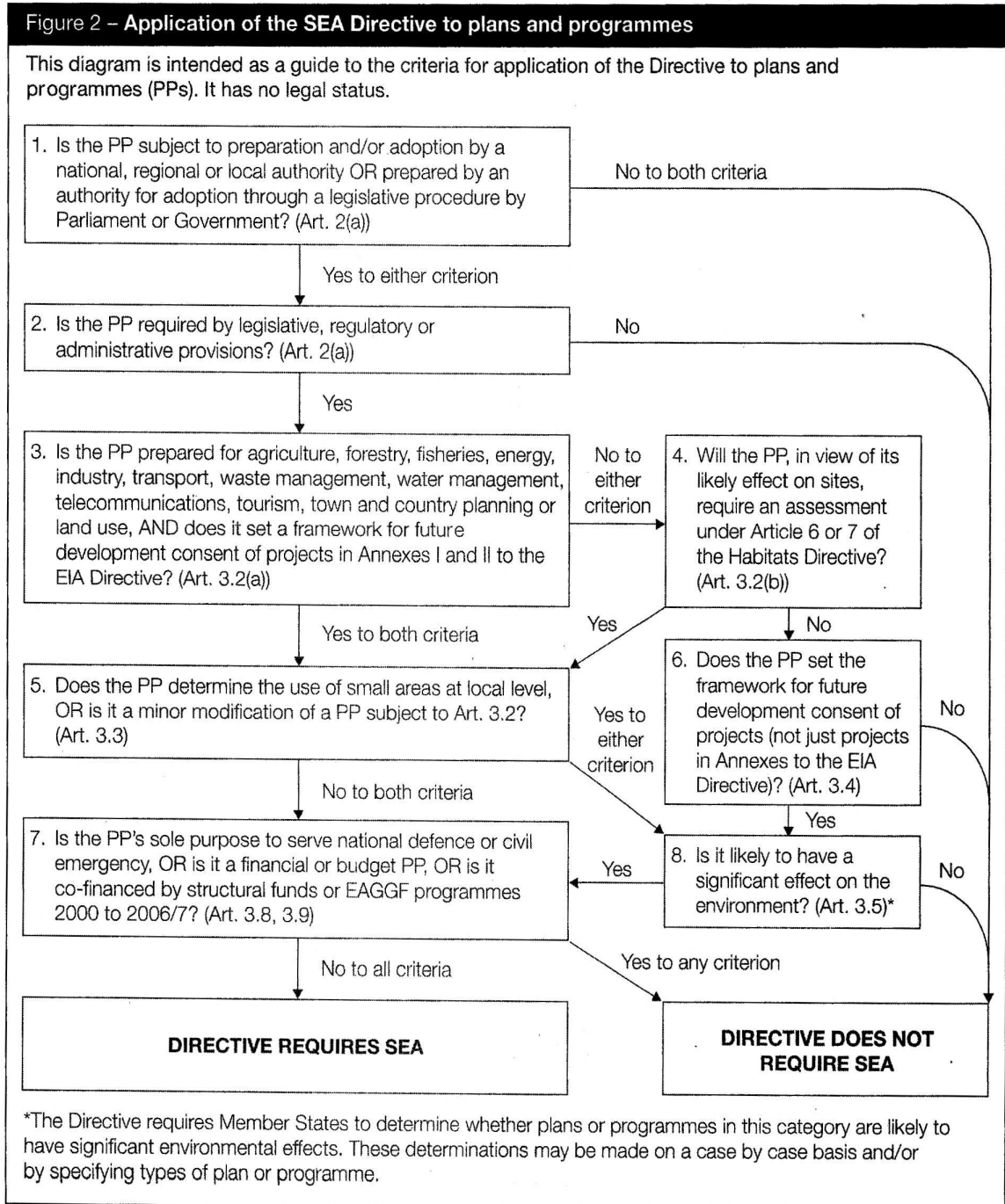
- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
  - special natural characteristics or cultural heritage,
  - exceeded environmental quality standards or limit values,
  - intensive land-use,
  - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Annex II of SEA Directive 2001/42/EC

# North West Bicester Supplementary Planning Document Strategic Environmental Assessment Screening Statement

## 4.0 Assessment

4.1 The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



## North West Bicester Supplementary Planning Document Strategic Environmental Assessment Screening Statement

- 4.2 The table below shows the assessment of whether the SPD guidance will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The SPD is being prepared by Cherwell District Council to develop more detail on the modified submission Cherwell Local Plan Policy Bicester 1
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	The SPD is required by Cherwell District Council to guide developers of the eco town site and will be adopted as Council policy in the determination of planning applications once the emerging Cherwell Local Plan is adopted.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Y	The SPD is prepared for town and country planning and land use and provides detailed guidance on the framework for future development consent set by the emerging Cherwell Local Plan.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N	The likely effect of the site to which the SPD relates has been assessed as part of the Cherwell Submission Local Plan Habitats Regulation Assessment.
5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The SPD is site specific to the strategic allocation identified in Policy Bicester 1 of the emerging Cherwell Local Plan.
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	N	The SPD does not set the framework for future development consent of projects.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The SPD will not have a significant effect on the environment. The emerging Cherwell Local Plan has considered the

**North West Bicester Supplementary Planning Document  
Strategic Environmental Assessment Screening Statement**

		environmental impact of the site.
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4.4 The likely effects of the North West Bicester SPD on the environment have been assessed and are summarised in the table in Appendix 1.



## **North West Bicester Supplementary Planning Document Strategic Environmental Assessment Screening Statement**

### **5.0 Screening Outcome**

- 5.1 As a result of the assessment in Section 4 and Appendix 1, it is concluded that there will not be any significant environmental effects arising from the North West Bicester Supplementary Planning Document that have not covered in the Sustainability Appraisal of the modified submission Cherwell Local Plan. As such, the SPD does not require a full SEA to be undertaken.
- 5.2 The SPD intends to supplement the emerging Cherwell Local Plan Policy Bicester 1 and guide development proposals to ensure the overall objectives are delivered across the site and ensure the development is delivered in accordance with the Local Plan policy.

**North West Bicester Supplementary Planning Document  
Strategic Environmental Assessment Screening Statement**

**Appendix 1: Likely significant effects on the environment**

SEA Directive Criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the SPD likely to have a significant environme ntal effect? Y/N
<b>1. Characteristics of the Planning Obligations SPD having particular regard to:</b>		
(a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources.	The SPD intends to supplement Policy Bicester 1 of the modified submission Cherwell Local Plan and guide development proposals to ensure overall objectives are delivered across the site and ensure the development is delivered in accordance with Local Plan policy. The emerging Local Plan sets out appropriate uses and proposals for the site and the SPD sets out the development principles and parameters for proposals within the site. It is intended to be used as a guide for preparing and determining proposals for a greenfield strategic site allocation in the emerging Cherwell Local Plan. The site was selected as a reasonable alternative as it was relatively unconstrained with a high capacity for growth. The effects have been considered as part of the emerging Cherwell Local Plan Sustainability Appraisal process.	N
(b) The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The SPD will support the delivery of the North West Bicester strategic allocation set out in the emerging Cherwell Local Plan Policy Bicester 1. As such it will guide the preparation and determination of planning applications but will not set new policy. It sits below the Local Plan policy in the hierarchy of planning policy.	N

**North West Bicester Supplementary Planning Document  
Strategic Environmental Assessment Screening Statement**

SEA Directive Criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the SPD likely to have a significant environme ntal effect? Y/N
	The Local Plan Sustainability Appraisal process has considered the environmental impact of the proposed strategic site allocation.	
(c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD promotes sustainable development in accordance on the NPPF and local plan policies. Furthermore, it incorporates eco-town standards which promote sustainable development.	N
(d) Environmental problems relevant to the SPD.	The Local Plan Sustainability Appraisal highlights the environmental problems relevant to the SPD as set out below. The impact of noise from the railway line. The masterplanning addresses this with appropriate uses adjacent to the railway line and mitigating the impact of noise from the rail line as part of the promotion of sustainable design. Development proposals will be guided to mitigate the impact of noise on the residential environment. The significant loss of greenfield land is the main significant residual adverse effect as it is on other sites brought forward in the Local Plan but this cannot be avoided if the full potential of the proposed growth in the Local Plan is to be delivered The site contains three listed buildings the settings of which will be protected and the buildings themselves retained in the SPD and masterplan. The SPD seeks to minimise the impact of the	N

**North West Bicester Supplementary Planning Document  
Strategic Environmental Assessment Screening Statement**

SEA Directive Criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the SPD likely to have a significant environme ntal effect? Y/N
	proposed development and will address the wider environmental issues of climate change and air quality. It seeks to add detail to the Local Plan policy for eco development at North West Bicester and wider Local Plan objectives to promote sustainable development.	
(e) The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection).	The SPD is relevant in the implementation of environmental plans such as the Oxfordshire Joint Municipal Waste Strategy but its effect will be limited.	N
<b>2. Characteristics of the effects and area likely to be affected having particular regard to:</b>		
(a)The probability, duration, frequency and reversibility of the effects.	The SPD will result in the permanent and irreversible loss of greenfield land and agricultural land, however, the emerging Local Plan Sustainability Appraisal concludes that it is necessary to meet in full the needs of accommodating the District's growth.	N
(b)The cumulative nature of the effects of the SPD.	The SPD seeks to ensure the sustainability objectives of the Local Plan are met. The SPD aims to achieve the objectives of the sustainability appraisal across the site aiming to mitigate the cumulative effects of the proposed development.	N
(c)The trans boundary nature of the effects of the SPD.	A Habitats Regulation Assessment was undertaken for the emerging Local Plan including an assessment of this site and concluded that growth in the Local Plan will not lead to likely significant effect on the Oxford	N

**North West Bicester Supplementary Planning Document  
Strategic Environmental Assessment Screening Statement**

SEA Directive Criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the SPD likely to have a significant environme ntal effect? Y/N
	Meadows Special Area of Conservation (SAC) alone or in combination with other projects. Trans-boundary effects will not be significant.	
(d)The risks to human health or the environment (e.g. due to accident).	No significant risks to human health or the environment have been identified in the SPD preparation and masterplanning of the site.	N
(e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the SPD.	It is intended that once completed there will be approximately 6,000 new homes with an estimated population of between 12,000 and 13,000 (the existing town's population is approximately 30,000) and the Local Plan and SPD intention is to ensure good integration with the benefits of the eco-town permeating across the town and wider District. The effects will be limited to the local area and will not be significant. The SPD site area is approximately 400 hectares.	N
(f)The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> <li>• Special natural characteristics or cultural heritage</li> <li>• Exceeded environmental quality standards or limit values</li> <li>• Intensive land use.</li> </ul>	The Local Plan Sustainability Appraisal process selected the site due to the area being relatively unconstrained with medium to high capacity to accommodate growth. The Bicester Landscape Sensitivity Assessment states that the site is located in the Natural England Character Area 107 at County level. The Oxfordshire Wildlife and Landscape Study identifies the site within estates farmland. There is a medium to high capacity for residential and employment uses within the site area as part of a mixed use	N

**North West Bicester Supplementary Planning Document  
Strategic Environmental Assessment Screening Statement**

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	<p>development as the land use would be in keeping with the adjacent existing residential area to the south and east and not significantly alter the overall landscape character of the wider area.</p> <p>Consideration should however be made to maintaining the visual separation with outlying settlements such as Bucknell.</p> <p>The site contains three Grade II listed buildings and their importance is recognised in the masterplan and SPD. It is intended that the listed buildings on the site will be retained and their setting protected. The setting of St Lawrence's church in Caversfield will also be protected.</p> <p>The site lies within Flood Zone 1 and as such is at low risk of flooding. As mentioned above there is a loss of greenfield land but the emerging Local Plan policy and SPD is seeking 40% green space as part of the proposals. The SPD provides guidance on the use of a greenfield site. The value and vulnerability of the area has been assessed in the site surveys and Local Plan SA in promoting the land for an eco-town development and strategic site allocation. The overall impact of the SPD on the value of the area will be positive for example creating a net gain in biodiversity, green infrastructure, reduced carbon emissions and sustainable urban drainage systems.</p>	

**North West Bicester Supplementary Planning Document  
Strategic Environmental Assessment Screening Statement**

<b>SEA Directive Criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004</b>	<b>Summary of significant effects Scope and influence of the document</b>	<b>Is the SPD likely to have a significant environme ntal effect? Y/N</b>
<p>(g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status.</p>	<p>The Bicester Landscape Sensitivity and Capacity Assessment states that although there are cultural and ecological designations in the area these are of local importance and the site does not contain any landscape designations. SPD includes principles designed to enhance the area and as such it will have a positive effect on the surrounding area and landscape. It does not have a significant effect on any national or internationally recognised area or landscape.</p>	<p>N</p>

**North West Bicester Supplementary Planning Document  
Strategic Environmental Assessment Screening Statement**